

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Amendment
to and Repeal of Rules of the Minnesota
Department of Employment and Economic
Development Relating to Unemployment
Insurance; Modifying Appeals, Employer
Records, and Worker Status Provisions;
Minnesota Rules parts 3310 and 3315

**REPORT OF THE CHIEF
ADMINISTRATIVE LAW JUDGE**

This matter came before the Chief Administrative Law Judge pursuant to the provisions of Minn. Stat. § 14.26, subd. 3. Based upon a review of the record in this proceeding, the Chief Administrative Law Judge hereby approves in all respects the Order on Review of Rules Under Minn. Stat § 14.26, of the Administrative Law Judge, dated May 5, 2014.

In order to correct the defect enumerated by the Administrative Law Judge with regard to proposed rule 3310.2917, the agency shall modify the rule and follow the procedure for adopting substantially different rules. The procedure for adopting substantially different rules is set out in Minn. Rule 1400.2110.

In order to correct all other the defects enumerated by the Administrative Law Judge in the attached Report, the agency shall make changes to the rule to address the defects noted. If the agency chooses not to correct one or more of the defects enumerated by the Administrative Law Judge, the agency shall submit the rule to the Legislative Coordinating Commission and the House of Representatives and Senate policy committees with primary jurisdiction over state governmental operations, for review under Minn. Stat. § 14.15, subd. 4.

In addition to the procedures required by Minn. Rule 1400.2110, if the agency chooses to take the action recommended by the Administrative Law Judge, it shall submit to the Chief Administrative Law Judge a copy of the rules as initially published in the State Register, a copy of the rules as proposed for final adoption in the form required by the State Register for final publication, and a copy of the agency's Order Adopting Rules. The Chief Administrative Law Judge will then make a determination as to whether the defects have been corrected and whether the modifications in the rules are substantially different.

Should the agency make changes in the rules other than those recommended by the Administrative Law Judge, it shall also submit the complete record to the Chief Administrative Law Judge for a review on the issue of substantial change.

Dated: May 12, 2014

Tammy L. Pust

TAMMY L. PUST
Chief Administrative Law Judge